IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL

Misc. Application No. 558 of 2004
In
Criminal Misc. Application No. 731 of 2001
(Old No. 7253 of 1987)

Bhola Singh @ Sadhu Singh ….Applicant

Versus

The State of U.P. and another ….Opposite Party

Hon'ble B.C. Kandpal, J.

This Court on 26.07.2004 passed the order for issuing notice to the applicant/petitioner. In view of the fact that the counsel for the applicant Sri S.C. Mamgain has died.

Subsequently, it could reveal from the perusal of the file that this petition has already been finally disposed of by Hon'ble Justice Irshad Hussain on 01.06.2004. After having perused the record and hearing Sri Raman Kumar Shah learned counsel for the petitioner this Court vide order dated 01.06.2004 dismissed the petition.

Today Sri Shobhit Saharia learned counsel for the respondent No. 2 has submitted before the Court that in fact the order dated 01.06.2004 was not in the knowledge of the respondent No. 2. Hence under the utter confusion, the respondent No. 2 filed the misc. application on which the order was passed by this Court on 26.07.2004.

Under the aforesaid circumstances, stated above, I am of the view that this petition has already been disposed of finally, hence the file be consigned to the record room.

29.07.2004 **(B.C. Kandpal, J.)**
ASWAL